

ENTERED

November 01, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

MOUNTAIN EXPRESS OIL COMPANY, et al.,

Debtors.¹

Chapter 7

Case No. 23-90147 (EVR)

(Jointly Administered)

**STIPULATION REGARDING SCHEDULING DEADLINES AND
HEARING IN CONNECTION WITH CHAPTER 11 FINAL FEE
APPLICATIONS AND RESERVE DISTRIBUTION MOTION**

WHEREAS, on October 3, 2023 Pachulski Stang Ziehl & Jones LLP, former counsel to the above captioned Debtors (the “Debtors”) filed the *Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final DIP Order and Professional Fee Order* [Docket No. 1519] (the “Reserve Distribution Motion”).

WHEREAS, on October 10, 2023, the Chapter 7 Trustee (the “Trustee”) filed the *Chapter 7 Trustee’s Preliminary Objection to Entry of Order Granting Motion of Former Counsel for the Debtors for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final DIP Order and Professional Fee Order and Request for Abatement* [Docket No. 1535].

WHEREAS, on October 24, 2023, First Horizon Bank, as Administrative Agent (“FHB”), filed the *Objection to Motion of Former Counsel for the Debtors Motion for Entry of an Order Authorizing the Payment of Estate Professionals’ Fees Pursuant to Final DIP Order and*

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained for a fee at the Court’s website at <http://ecf.txsb.uscourts.gov>. A login identification and password to the Court’s Public Access to Court Electronic Records (“PACER”) are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these Chapter 11 Cases (the “Cases”) is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

Professional Fee Order and Joinder to Chapter 7 Trustee's Preliminary Objection to Such Payment [Docket No. 1579].

WHEREAS, for the benefit of the Court and the Trustee, and the efficient administration of these estates, each of the undersigned professionals: (i) Pachulski Stang Ziehl & Jones LLP, (ii) FTI Consulting, Inc., (iii) Raymond James & Associates, Inc., (iv) Akerman LLP, (v) Axinn, Veltrop & Harkrider LLP, (vi) Lugenbuhl, Wheaton, Peck, Rankin & Hubbard, (vii) McDermott Will & Emery LLP, and (viii) Province, Inc. (the "Chapter 11 Professionals"), have agreed with the Trustee and FHB (together with the Chapter 11 Professionals, the "Parties") to this stipulated schedule (the "Stipulation") set forth below for the timing and hearing for each of their final fee applications (the "Final Fee Applications") and for consideration of the Reserve Distribution Motion.

NOW, THEREFORE, IT IS STIPULATED AND AGREED TO BY THE PARTIES, AND UPON APPROVAL BY THE COURT OF THIS STIPULATION, IT IS SO ORDERED AS FOLLOWS:

1. The above recitals are incorporated by reference herein with the same force and effect as if fully set forth hereinafter.
2. The deadline for Chapter 11 Professionals to file Final Fee Applications and provide LEDES files to the Trustee shall be November 15, 2023.
3. The deadline to file (a) objections to any of the Final Fee Applications and (b) any supplemental objection to the Reserve Distribution Motion shall be January 15, 2024 (the "Objection Deadline"). The Objection Deadline may be extended by agreement of the Parties or Court Order, provided, however, in no event shall the Objection Deadline be extended longer than 45 days (*i.e.* not past February 29, 2024).

4. The deadline to file replies to any objections to the Final Fee Applications or the Reserve Distribution Motion shall be fifteen (15) days following expiration of the Objection Deadline.


5. A hearing on the Final Fee Applications shall be held on February 15, 2024, ~~xxx~~
~~xxx~~ ~~thereafter~~ ~~subject to the Comr's availability~~ ~~xxx~~ electronically via gotomeeting. at 9:00 a.m., CST.

6. This Stipulation may be executed by electronic means and the printed product of such shall constitute an original of this Stipulation.

7. Notwithstanding anything in the Bankruptcy Code or the Bankruptcy Rules to the contrary, this Stipulation shall be effective immediately upon Bankruptcy Court approval thereof.

8. The Bankruptcy Court shall have exclusive jurisdiction and power regarding the implementation, interpretation, and enforcement of this Stipulation.

Signed: November 01, 2023


Eduardo V. Rodriguez
Chief United States Bankruptcy Judge

AGREED AS TO FORM AND CONTENT:

Dated: October 31, 2023

/s/ Michael D. Warner

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